

REMARKS

Claims 1-17 are pending. Claims 1-3, 5-9, and 11-17 stand rejected. Applicant wishes to thank the Examiner for the indication of allowance of claims 4 and 10. Claims 14 and 16 have been amended. In light of the remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Paragraphs 1 through 3 of the Office Action rejects claims 1-3, 8, 9, 14, and 16 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,450,086 (“Kaiser”). Applicant requests reconsideration and withdrawal of this rejection.

To anticipate a claim under 35 U.S.C. § 102, the cited reference must disclose every element of the claim, as arranged in the claim, and in sufficient detail to enable one skilled in the art to make and use the anticipated subject matter. See, PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d 1558, 1566 (Fed. Cir. 1996); C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1349 (Fed. Cir. 1998). A reference that does not expressly disclose all of the elements of a claimed invention cannot anticipate unless all of the undisclosed elements are inherently present in the reference. See, Continental Can Co. USA v. Monsanto Co., 942 F.2d 1264, 1268 (Fed. Cir. 1991).

Among the limitations of independent claim 1 not present in the cited references is an operation clock control means for controlling, based on said received electric field strength detected by said detecting means, a frequency of an operation

clock used for processing data transmitted and received by said wireless transmitting/receiving means. As described in the present specification, noise generation can be prevented by reducing the operating clock of the CPU when the received electric field is weak. Thus, depending on the received level, the CPU can operate at different speeds, i.e., the higher the received signal, the faster the CPU can process the data and, conversely, the smaller the received signal, the slower the CPU will be clocked.

In contrast, in Kaiser, the transmitter will change frequency, i.e., tune to a different channel, when the signal strength is lower than a preset level. The Kaiser system changes the data bits so that the resonant frequency of the tuning circuit changes until the receiver is retuned and the pulse train reappears. Thus, there is no operation clock control means which varies the frequency of an operation clock used for processing data transmitted and received by said wireless transmitting/receiving means as explicitly recited in Applicant's claim. Thus, claim 1 is allowable over the cited reference.

Claims 2-6 either directly or indirectly depend from, and contain all the limitations of claim 1. These dependent claims also recite additional limitations which, in combination with the limitations of claim 1, are neither disclosed nor suggested by Kaiser and are also believed to be directed towards the patentable subject matter. Thus, claims 2-6 should also be allowed.

Among the limitations of claims 14 and 16 not present in the cited reference is an operation clock for setting a data processing speed. The Office Action asserts that the claimed invention is disclosed by Kaiser. Applicant disagrees

with this interpretation of Kaiser. In Kaiser, when the signal strength is decreased, the circuit changes tuning frequency so that a new received frequency can be tuned in by the receiver. In contrast, in Applicant's explicitly recited claim, the data processing clock speed is varied based on the signal strength. Thus, Applicant respectfully requests reconsideration of withdrawal of this rejection.

Claim 15 depends from, and contains all the limitations of claim 14. This dependent claim also recites additional limitations which, in combination with the limitations of claim 14, are neither disclosed nor suggested by Kaiser and are also believed to be directed towards the patentable subject matter. Thus, claim 15 should also be allowed.

Claim 17 depends from, and contains all the limitations of claim 16. This dependent claim also recites additional limitations which, in combination with the limitations of claim 16, are neither disclosed nor suggested by Kaiser and are also believed to be directed towards the patentable subject matter. Thus, claim 17 should also be allowed.

Paragraphs 6-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaiser in view of U.S. Patent No. 5,390,340 ("Kondo"). As discussed above with reference to claim 1, Kaiser fails to disclose the operation clock as explicitly recited in Applicant's claim. Kondo was not included to cure this deficiency but to disclose additional limitations which, even if Kondo were to show, would not result in Applicant's claimed invention.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: March 3, 2004

Respectfully submitted,

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